

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KAREN FISCHER,

Plaintiff.

v.

CABLE SERVICES COMPANY,
INC,

Defendant.

No. 4:18-CV-00455

(Judge Brann)

ORDER

DECEMBER 13, 2018

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss, ECF No. 12, is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Any portions of Plaintiff's federal law-based discrimination claims that are based on independently actionable adverse employment actions that occurred before November 22, 2016 are **DISMISSED WITH PREJUDICE**.
2. Any portions of Plaintiff's state law-based discrimination claims that are based on independently actionable adverse employment actions that occurred before March 22, 2017 are **DISMISSED WITH PREJUDICE**.

3. Plaintiff's gender-based hostile work environment claims are **DISMISSED WITH PREJUDICE**.
4. Counts VI and VII of Plaintiff's Amended Complaint are **DISMISSED WITHOUT PREJUDICE**.
5. Plaintiff's demand for "emotional pain and suffering" damages related to her ADEA claim is **STRICKEN**.
6. The motion is otherwise **DENIED**.
7. Within seven days of the date of this Order, Plaintiff may file a second amended complaint to correct the deficiencies identified in the accompanying Memorandum Opinion. If Plaintiff does not file a second amended complaint, Defendant's answer to Plaintiff's Amended Complaint, ECF No. 10, is due no later than twenty-one days from the date of this Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge